

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

NICHOLE SMITH,

Plaintiff,

v.

**Civil Action 2:20-cv-342
Judge Sarah D. Morrison
Magistrate Judge Chelsey M. Vascura**

**EQUIFAX INFORMATION SYSTEMS,
LLC, *et al.*,**

Defendants.

ORDER

This matter is before the Court on the Motion of Plaintiff's Counsel, attorney Richard P. Gabelman, to withdraw as counsel for Plaintiff. (ECF No. 16.) Plaintiff was served with a copy of the Motion but filed no response, and the time to do so has now expired. For good cause shown, the Motion to Withdraw is **GRANTED**. (ECF No. 16.) Accordingly, the Clerk is **DIRECTED** to **TERMINATE** Richard P. Gabelman as counsel for Plaintiff.

This matter is further before the Court upon consideration of a Report and Recommendation (R&R) issued by the Magistrate Judge on September 18, 2020 (ECF No. 18). In that filing, the Magistrate Judge recommended that Plaintiff's action be dismissed without prejudice for failure to prosecute pursuant to Federal Rule of Civil Procedure 41(b). The Magistrate Judge also recommended that Plaintiff be ordered to list this action as a related case if she re-files. The time for filing objections has passed, and no objections have been filed. For the reasons set forth in the R&R, the Court hereby **ADOPTS** the R&R (ECF No. 18) and **DISMISSES WITHOUT PREJUDICE** the Complaint (ECF No. 1). The Motion for Default

Judgment (ECF No. 11) is **MOOT** and the Clerk is **DIRECTED** to **TERMINATE** this case from the docket records of the United States District Court for the Southern District of Ohio.

Plaintiff is **ORDERED** to list this action as a related matter if she re-files.

IT IS SO ORDERED.

/s/ Sarah D. Morrison
SARAH D. MORRISON
UNITED STATES DISTRICT JUDGE